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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/821,100

04/07/2004

Zhong Dong

M-15295 US

8965

32605

7590

12/22/2008

MACPHERSON KWOK CHEN & HEID LLP

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SUITE 400

SAN JOSE, CA 95110

EXAMINER

VU, DAVID

ART UNIT

PAPER NUMBER

2818

MAIL DATE

DELIVERY MODE

12/22/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* ZHONG DONG, CHUCK JANG, CHING-HWA CHEN,  
CHUNCHIEH HUANG, JIN-HO KIM, VEI-HAN CHAN, CHUNG WAI  
LEUNG, CHIA-SHUN HSIAO, GEORGE KOVALL,  
and STEVEN MING YANG

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Appeal 2009-2110  
Application 10/821,100  
Technology Center 2800

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Mailed:

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Before DALE M. SHAW, *Chief Appeals Administrator*  
SHAW, *Chief Appeals Administrator*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on December 5, 2008. A Docketing Notice was mailed and Appeal No 2009-2110 was assigned on December 8, 2008. A review of the application has revealed that the application was not ready for an appeal. Accordingly, the application is herewith being remanded to the Examiner. The matter requiring attention is identified below.

### **CONSIDERATION OF PETITION**

A review of the IFW application reveals that on June 18, 2008, Appellants filed a Petition under 37 CFR § 1.181. There is no evidence on record indicating that the Petition has been decided.

### **CONCLUSION**

Accordingly, it is ORDERED that the application is remanded to the Examiner for:

- 1) consideration of the Petition filed on June 18, 2008, and
- 2) provide appropriate written notification by the Examiner to Appellants of such consideration; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/pgc

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